HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No.19878 of 2005

Dated: 25th November, 2005

Between:

Mir Shahamat Ali Khan S/o.late Mir ahmed Ali Khan,

R/o.H.no.22-3-240/1, Etebar Chowk, Hyderabad.

..... PETITIONER

AND

1.The District Collector, Ranga Reddy District,

Lakdikapul, Hyderabad and another.

.....RESPONDENTS

HONOURABLE SRI JUSTICE B.SESHASAYANA REDDY

Writ Petition No. 19878 of 2005

ORDER:

This writ petition has been filed by Mir Shahamat Ali Khan assailing the action of the respondents in not mutating his name in the revenue records in respect of land bearing Survey No.84/1 admeasuring Ac.30.00 guntas situated at Phulmamidi village, Kandkoor Mandal, Ranga Reddy District.

2. It is the claim of the petitioner that he got the land admeasuring Ac.30.00 guntas comprising Survey No.84/1 under an oral gift from his mother and therefore, he submitted an application to the Mandal Revenue Officer, Kandkoor, Ranga Reddy District-2nd respondent for mutating his name in the revenue records as owner and possessor of the said land. Since, there is no action on the part of the respondents on the representation submitted by the

petitioner, he has chosen to approach this Court by invoking the jurisdiction under Article 226 of the Constitution of India.

3. Heard learned counsel appearing for the petitioner and learned Government Pleader for Revenue appearing for the respondents 1 and 2.

4. Learned counsel appearing for the petitioner submits that the petitioner got the property under an oral gift from his mother and thus he acquired ownership rights over the land admeasuring Ac.30.00 guntas comprising Survey No.84/1.

5. As per Section 4 of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short, 'the Act'), any person acquiring by succession, survivorship, inheritance, partition, Government patta, decree of a Court or otherwise has to submit an application in Form-VI (A). On submission of such an application, it is for the recording authority to make an enquiry and effect necessary amendments in the revenue records.

6. In that view of the matter, I deem it appropriate to direct the petitioner to submit an application in the prescribed form before the recording authority i.e. the Mandal Revenue Officer, Kandkoor Mandal-2nd respondent and thereupon the recording authority shall consider the claim of the petitioner and pass appropriate orders in accordance with Law within four weeks from the date of receipt of a copy of the Order.

7. Accordingly, this writ petition is disposed of. No costs.

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B.SESHASAYANA REDDY, J.

Dated: 25th November, 2005.

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